

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, MARCH 15, 2004

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, March 15, 2004, at 7:05 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Fitch, Ralston, Lundberg and Woodrow. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. ODOT Presentation for 42nd Street Project.

Transportation Manager Nick Arnis introduced Jeannie Crane and her family from the 42nd Street neighborhood. He also introduced Dionna Sinniger, Shirley and Craig Thompson and Lorena Cornelison, family members of the late Daniel Lindsay.

Mayor Leiken acknowledged Daniel Lindsay's family. He said the picture of Daniel and the note from the family has been framed and hangs in the Mayor's office. It is unfortunate that often tragedy propels government to take action. He gave special acknowledgment to Jeannie Crane who worked tirelessly to see that this project moved forward. One person can make a difference and she did.

Mayor Leiken introduced Jeff Sheik from the Oregon Department of Transportation (ODOT), Salem office. Mayor Leiken said there have been times when the city and ODOT have disagreed, but there have been times when they have worked together. He appreciates Mr. Sheik's leadership and the leadership from the staff in the Springfield office.

Mayor Leiken acknowledged Commissioner Dwyer, who was in the audience. He thanked Commissioner Dwyer and the county staff for their significant part in the 42nd Street project.

Mr. Sheik said it was a privilege to share in this huge success of the partnership between the City of Springfield and ODOT. Tonight they honor the opportunity of transferring funds to the city for improvements along 42nd Street. ODOT and staff have worked together on this project over the past year. This project was put in place as part of ODOT's 2004-07 Construction STIP Program. This was done because of the good work between Mr. Kelly and his staff and ODOT. He agreed with Mayor Leiken that ODOT has a promising partnership with the city and they look to continue that in every endeavor. ODOT is very sympathetic to the family of Daniel Lindsay and are honored to work together to bring safety to our community. He acknowledged ODOT

staff members Tom Boyatt, planner; Bob Pirrie, area manager; and Don Erick, district manager for their great work in making this happen. He presented a large mock check in the amount of \$4,125,000 for the jurisdictional transfer of 42nd Street and improvements to be made.

Mayor Leiken applauded council on their unanimous vote on this transfer.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR FITCH, WITH A SECOND BY COUNCILOR BALLEW, TO ADOPT THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

1. Claims

- a. Approve the December 2003 Disbursements for Approval.
- b. Approve the January 2004 Disbursements for Approval.
- c. Approve the February 2004 Disbursements for Approval.
- d. Accept the 2002/2003 Comprehensive Annual Financial Report.

2. Minutes

- a. January 20, 2004 – Special Regular Meeting – Amended
- b. January 24, 2004 – TEAM Springfield Joint Elected Officials Meeting
- c. February 2, 2004 – Work Session
- d. February 2, 2004 – Regular Meeting
- e. February 9, 2004 – Work Session
- f. February 17, 2004 – Work Session
- g. February 17, 2004 – Regular Meeting

3. Resolutions

- a. RESOLUTION NO. 04-07 – A RESOLUTION OF THE CITY OF SPRINGFIELD REQUESTING THE PERS SICK LEAVE BENEFIT FOR CERTAIN EMPLOYEES REPRESENTED BY SPRINGFIELD POLICE ASSOCIATION.
- b. RESOLUTION NO. 04-08 – A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KPFF CONSULTING ENGINEERS IN THE AMOUNT OF \$56,121 FOR ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION MANAGEMENT OF THE STORM WATER SEWER IN THE MARTIN LUTHER KING, JR. PARKWAY.

4. Ordinances

- a. ORDINANCE NO. 6076 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS WILLAMETTE BEVERAGE COMPANY, LOCATED IN THE GLENWOOD AREA OF WEST SPRINGFIELD, EAST OF I-5, SOUTH AND WEST OF JUDKINS ROAD AND INVOLVING APPROXIMATELY 3.25 ACRES AS IDENTIFIED ON TAX LOT 490 AND A PORTION OF 600 T17S R03W S33 MAP 44 AND A PORTION OF TAX LOT 100 T18S R03W S04 MAP 11; HERETOFORE

ANNEXED TO THE CITY OF SPRINGFIELD FROM THE GLENWOOD WATER DISTRICT.

- b. ORDINANCE NO. 6077 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS SHAMROCK VILLAGE INVESTORS/U.S. BANK, LOCATED IN THE GLENWOOD AREA OF WEST SPRINGFIELD, EAST AND WEST OF FRANKLIN BOULEVARD, SOUTH OF EAST 19TH AVENUE AND INVOLVING APPROXIMATELY 16.0 ACRES AS IDENTIFIED ON TAX LOTS 300, 301, 3300 T17S R03W S34 MAP 44, TAX LOT 1401 T18S R03W S03 MAP 11; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE GLENWOOD WATER DISTRICT.
- c. ORDINANCE NO. 6078 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS PEACEHEALTH, LOCATED IN NORTHERN SPRINGFIELD, SOUTH OF DEADMOND FERRY ROAD, EAST OF BALDY VIEW LANE, AND INVOLVING APPROXIMATELY 2 ACRES AS IDENTIFIED ON TAX LOT 200 T17S R03W S23 MAP 22; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- d. ORDINANCE NO. 6079 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS MCCULLOCH, LOCATED IN SOUTHWEST SPRINGFIELD, EAST OF I-5, SOUTH OF CENTENNIAL BOULEVARD, NORTH OF DIAMOND STREET, AND WEST OF RAINBOW DRIVE INVOLVING APPROXIMATELY .14 ACRES AS IDENTIFIED ON TAX LOT 201 T17S R03W S34 MAP 24; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- e. ORDINANCE NO. 6080 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS NORTHWOOD CHRISTIAN CHURCH, LOCATED IN THE NORTHERN AREA OF SPRINGFIELD, EAST OF HARVEST LANE, NORTH OF HAYDEN BRIDGE ROAD AND INVOLVING APPROXIMATELY 2.6 ACRES AS IDENTIFIED ON TAX LOT 200 T17S R03W S24 MAP 33; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- f. ORDINANCE NO. 6081 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS JACOBSON, LOCATED IN SOUTHWEST SPRINGFIELD, SOUTH OF HARLOW ROAD, EAST OF LAURA STREET, WEST OF PIONEER PARKWAY EAST AND INVOLVING APPROXIMATELY 1.75 ACRES AS IDENTIFIED ON TAX LOT 1400 T17S R03W S27 MAP 10; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- g. ORDINANCE NO. 6082 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS GRASSAUER, LOCATED IN THE HAYDEN BRIDGE AREA OF NORTH SPRINGFIELD, SOUTH OF HAYDEN BRIDGE ROAD, EAST OF 19TH STREET, WEST OF 20TH STREET AND INVOLVING APPROXIMATELY 0.69 ACRES AS IDENTIFIED ON TAX LOT 1000 T17S R03W S24 MAP 43;

HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE
RAINBOW WATER DISTRICT.

- h. ORDINANCE NO. 6083 – AN ORDINANCE WITHDRAWING CERTAIN REAL
PROPERTY KNOWN AS MONROE, LOCATED IN THE GLENWOOD AREA OF
SOUTHWEST SPRINGFIELD, SOUTH OF 21ST STREET EAST OF HARRISON
STREET, WEST OF MORTON STREET AND INVOLVING APPROXIATELY 0.2
ACRES AS IDENTIFIED ON TAX LOT 2900 T18S R03W S03 MAP 12;
HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE
GLENWOOD WATER DISTRICT.

5. Other Routine Matters

- a. Authorize the City Manager to Execute the Contract to Purchase Firefighter Breathing Equipment in the Amount of \$217,156.

PUBLIC HEARINGS

1. Supplemental Budget Resolution.

RESOLUTION NO. 04-09 – A RESOLUTION ADJUSTING RESOURCES AND
REQUIREMENTS IN THE GENERAL FUND, THE STREET FUND, THE MUSEUM
FUND, THE BANCROFT REDEMPTION FUND, THE SPECIAL REVENUE FUND, THE
SEWER CAPITAL PROJECTS FUND, THE DEVELOPMENT PROJECTS FUND, THE
GO BOND CAPITAL PROJECTS FUND, THE STREET CAPITAL FUND, THE
TRANSPORTATION FUND, THE SEWER SDC FUND, THE REGIONAL
WASTEWATER SDC FUND, THE SEWER OPERATIONS FUND, THE REGIONAL
WASTEWATER FUND, THE INSURANCE FUND AND THE VEHICLE AND
EQUIPMENT FUND.

Budget Officer Norma Barton presented the staff report on this item. At various times during the fiscal year the council is requested to make adjustments to the budget to reflect needed changes in planned activities, to recognize new revenues such as grants, or to make other required adjustments. These adjustments to resources and requirements which change the current budget are processed through supplemental budget requests that the Finance Department schedules on an annual basis.

This is the third of four scheduled FY04 supplemental requests to come before council. The supplemental budget being presented includes: recognizing new revenues and reflecting additional resources; increasing FTE and adjusting expenditure authority for department operating, capital projects and non-departmental accounts.

FTE Changes

An additional 1.0 FTE in the Police Department, 1.0 FTE in the Public Works Department, and 0.4 in the Developmental Services Museum Fund are requested, details of each are explained in the following text. This 2.4 FTE increase changes the total city FTE count from 404.2 FTE to 406.6 FTE.

The City Council is asked to approve the attached Supplemental Budget Resolution.

The overall financial impact of the Supplemental Budget Resolution is to increase total appropriations by \$5,635,658, and to increase total city FTE by 2.4 FTE. Ms. Barton noted most notably is the jurisdictional transfer of 42nd Street from ODOT in the amount of \$4,125,000.

Councilor Ballew said she hoped in the near future the police could give an update on the AIRS program. She believes it has gone over the anticipated amount.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 04-09. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

2. Martin Luther King Jr. Parkway Design.

RESOLUTION NO. 4 – A RESOLUTION ADOPTING THE ALIGNMENT, RIGHT OF WAY WIDTH, AND DESIGN ELEMENTS FOR THE MARTIN LUTHER KING JR. PARKWAY PROJECT.

Transportation Manager Nick Arnis presented the staff report on this item. The City Council and Lane County Board of Commissioners must approve conceptual design elements in order to move forward with the final design process for the Martin Luther King Jr. Parkway project.

The Martin Luther King Jr. Parkway project is a \$9.3 million arterial road project that is scheduled for construction beginning in 2005. The project is fully funded and is the largest road project the city has undertaken in the last decade. Through an intergovernmental agreement (IGA) with Lane County, the county is acting as the project consultant for the city and is responsible for the final design process, acquiring right-of-way, bidding the project, and implementing the construction. The IGA requires the city and county to also approve project design elements that are listed below. These design elements are included in the agenda packet. Final designs could be altered a foot or two from that listed in the agenda packet. If the cost of the project goes above the scheduled budget, staff would come back to council for approval of those added costs. If a substantial amount of right-of-way needed to be purchased, staff would bring that back to council for approval.

- 1) Alignment of the parkway (supported by the North Link stakeholders)
- 2) Bike and pedestrian routes along the southern segment of the parkway corridor
- 3) Road elevation in the floodplain
- 4) Cross sections and right-of-way
- 5) Intersection layouts
- 6) Intersection form for the Harlow/Hayden intersection and Hayden Bridge Road parking
- 7) Septic drainfields along southern segment
- 8) Soundwalls in the southern segment and Beltline Road
- 9) Springfield Utility Board transmission lines in the southern segment
- 10) Bus Rapid Transit (BRT) in the southern segment

Mr. Arnis explained how these design elements were created and the processes staff used to identify them over the past ten years. Council's action on the resolution would be forwarded to the Lane County Board of Commissioners for their approval per the city's intergovernmental agreement with them. There are a number of projects in this area totaling over \$80M, including the interchange work, this project, and other projects related to the PeaceHealth site.

The most difficult of the design elements to create was the intersection for the Harlow/Hayden Bridge Road. It has been difficult to get an intersection for Wayside Lane. Staff did not get initial approval from the nearby citizens for the first proposal, so they did further studies with a consultant and have proposed the roundabout which they are bringing to council tonight. To begin the project in 2005, the design elements should be approved by the city and county this spring.

Mr. Arnis discussed some issues with septic drainfields. In 1998 council proposed a soundwall in the southern 76 foot segment. Staff continues to recommend the soundwall in that area. He discussed the transmission lines in the median of the southern segment. Because they are a fixed object in the median, they posed a safety issue for staff. Staff would like council to direct them to leave those lines in the median at this time. He discussed the Bus Rapid Transit (BRT) lane and how difficult it has been to find space for an exclusive lane. Lane Transit District (LTD) would prefer to have an exclusive lane. He discussed better traffic flow with a roundabout and possible transit priority further up the intersections.

Mayor Leiken asked council to refrain from questions until after the public hearing.

Mayor Leiken opened the public hearing.

1. Hillary Wylie, 339 South E Street, Springfield, OR. Ms. Wylie testified as Chair of the LTD Board of Directors. The Pioneer Parkway Corridor was selected unanimously by the Springfield City Council as the next BRT Corridor to be developed in Springfield. That selection was made for many reasons. One of which was the old railroad right-of-way and the extension of Pioneer Parkway which provided opportunities for the exclusive right-of-way of BRT. LTD is very concerned about the design of the MLK Jr. Parkway. For BRT to achieve its goals and be an attractive transportation option, it requires priority treatment to reduce travel time. BRT vehicles stuck in traffic would not provide the competitive advantage that is needed to attract a larger segment of the population as bus riders. Having the BRT vehicles travel in mixed traffic along the southern portion of the MLK Parkway would create a bottleneck that would affect ridership along the entire route. It is important to consider the performance of the entire corridor in making design and operational decisions for each segment. The LTD Board is on record in support of an MLK Parkway design that includes lanes for the BRT in the southern segment. The LTD Board has approved the expenditure of funds necessary to implement the design for back-to-back queue jumpers along that portion of the Parkway. More specifically, LTD is willing to pay for the cost associated with the additional right-of-way purchase and other impacts that are created when the right-of-way is widened to ten feet, five feet on each side, to accommodate the back-to-back queue jump lanes. The design assumes that the power lanes remain above ground and in the median of the parkway. To underground the power lines would cost about \$3M, which is beyond the ability of LTD to pay at this time. LTD knows there are concerns and have been sensitive to those concerns by proposing a space saving design for the BRT lanes that still achieves the level of priority needed to operate the system efficiently. Ms. Wylie said LTD's General Manager Ken Hamm would be providing details of LTD's proposal and on the

public comments they have received. If LTD's funding for this project is based on the BRT having an exclusive right of passage, the back-to-back queue jumper is necessary to sustain the funding application. She urged council to consider the overall community benefit and to approve this design. Once the soundwalls have been built, it is very unlikely they would be moved to add BRT lanes.

2. Ken Hamm, General Manager, Lane Transit District (LTD), 3500 E. 17th Avenue, Eugene, OR. Mr. Hamm said that as Ms. Wylie stated, the LTD Board recommends including BRT lanes on the southern section of the MLK Parkway. The Board has authorized the expenditure of funds to pay for the costs. From the time the Pioneer Parkway Corridor was chosen by the Springfield City Council, both parties have been excited about working together to be party to a community solution that connects downtown and the investments that are being made in Gateway, RiverBend and along International Way. The city and LTD have a great working relationship and have come a long way since BRT was initially introduced. The Pioneer Parkway Corridor has been viewed as an ideal opportunity to implement a fully dedicated right-of-way for BRT and maximize its long-term performance. Neither the city nor LTD wants a bottleneck in this half-mile MLK section. It would be costly and very difficult to come back later for more right-of-way. Both parties have compromised; City Council not putting in bike lanes and green space and LTD not putting in dedicated lanes in both directions. In council's agenda summary, city staff noted they could support an 82.5 foot right-of-way under certain conditions. Mr. Hamm distributed a packet of information to council which was entered into the record. These documents showed three options for providing BRT lanes. The first option is a two-lane BRT corridor at 96 feet right-of-way. That option is proposed along Pioneer Parkway and along Riverbend Drive at both ends of MLK Parkway. The second option is 86 feet of right-of-way and provides one lane for BRT use. This is a proposal that LTD staff has presented to city staff and may be the basis for their current recommendation. The third option showed how LTD and the city could fit BRT into the 82.5 foot right-of-way that city staff has recommended without undergrounding the utility poles. Mr. Hamm said Springfield public works staff had not yet seen this proposal. The proposal was distributed to staff as Mr. Hamm spoke. It is clear that right-of-way along the southern section of MLK Parkway is very tight and anything that widens the right-of-way has a direct impact on the abutting property owners. LTD would prefer to have double BRT lanes along the entire corridor, but they have taken the impacts into consideration and worked to minimize them. Mr. Hamm referred to the second handout given to council which is a summary of comments from abutting property owners. He discussed this summary. He thanked council for the opportunity to speak tonight and said he believes BRT could be fit into this corridor.

3. Bill Dwyer, Lane County Commissioner, 5558 Thurston Road, Springfield, OR. Mr. Dwyer said this is a difficult decision and would impact a lot of people in the community. What precipitated this was the average daily traffic (ADT) count on GameFarm Road because of an agreement years ago that when the ADT reached 10,000 cars per day an alternative would be considered. That alternative was to be known as Pioneer Parkway Extension. That road has now been renamed Martin Luther King Jr. Parkway by the City Council. This process has been long and laborious. Since that time the BRT has come along, which has complicated the process. He asked council to be sensitive to the people who would be impacted in cost and aesthetics by the decisions made tonight. He reminded council and staff of the lesson learned regarding soundwalls with the soundwalls placed along the north side of I-105. They were built below highway level and are very ineffective. A soundwall does need to be included in this project because of the volume of traffic expected and the impact of

sounds should be minimized for the surrounding property owners. Tonight's decision will not please everyone, but council can minimize the impact on the citizens in the decision they make tonight. This will come to the Lane County Board of Commissioners and Mr. Dwyer will vote for or against whatever action council takes. Commissioner Dwyer does not like roundabouts and his neighbors that travel through the roundabout in their neighborhood do not like it. He is not opposed to roundabouts in general, because it is not about what he likes but what will work. He would like council to think about the long-range aspects of this decision. He said whatever council does, they need to be sensitive to the people impacted because they are the people elected officials are sworn to serve and protect.

4. Dave Hancock, 2663 Nova Street, Springfield, OR. Mr. Hancock said when the idea of the LTD bus lane came about, he and his neighbors attended every meeting with the city to discuss this proposal. The neighbors were assured by the city that the parkway would only be two lanes each way. After talking to neighbors, the majority were against any more of their property being taken. Mr. Hancock read from the petition that was circulated to his neighbors. It read: *"We the people who will be directly affected by the new MLK Parkway wish to express our desire not to incorporate a dedicated lane for Lane Transit in the new project. We wish to approve the original plan discussed at numerous open discussion meetings. (attached diagram) We do not wish to have any more of our property taken. No pedestrians, bike lanes, etc. Strictly a parkway with 4 lanes and with at least 9 foot sound wall."* Mr. Hancock submitted a copy of the petition to be entered into the record. Signatures from 27 addresses and 41 persons were collected on the petition. The sentiment in the affected neighborhood is against the additional lane and they would like that included in the record.

5. Eldon Hutchins, 2836 Wayside Lane, Springfield, OR. Mr. Hutchins said the MLK Parkway design impacts his property. He had not heard anything about this bus lane until recently, because he had missed a couple of the neighborhood meetings. He said the neighbors had been told there would be a 10 foot soundwall and 8 feet of their property would be taken for the corridor. He accepted that. The LTD right-of-way is something new and he wasn't aware of it until receiving the letter in the mail. He would like to voice objections to the roundabout as they do not work. He discussed the Sony roundabout and the inefficiency of that roundabout. Traffic chooses to avoid the roundabout and travels instead over to Beltline. He discussed the difficulties for semi-trucks to get through the roundabouts. He believes the roundabout would slow traffic down more than a traffic light. He does not believe they have been successful here or back east.

6. Donna Goles, 2818 Wayside Lane, Springfield, OR. Ms. Goles said she is very concerned about the width of the Parkway. Her understanding was that LTD was going to take out the poles and put in underground utilities. Tonight is the first time she has heard they are not undergrounding the lines. She is opposed to the taking of more property. Ms. Goles said she could probably adjust to a roundabout, but most of the people in her neighborhood are elderly and would have difficulty maneuvering in the roundabout. She appreciates that the city has not and does not plan to open Seward Street because it would let a lot more traffic into her neighborhood. The street is not designed to take the extra traffic.

7. Duane Knoll, 2999 Wayside Loop, Springfield, OR. Mr. Knoll said he originally voted in favor of a roundabout and the opening of Seward Street. He received a flier a week ago showing that Seward would not be opened. He believes Seward Street needs to be opened to prevent people from getting locked into their neighborhood by the roundabout. Because he

was concerned about this, he drafted a petition to take to his neighbors for their signatures. He provided copies of the petition for the record. The petition read as follows: *"This is a Petition to Open the Blocked-Off Road Located on Seward Street, Between Wayside Lane and Manor Drive."* Mr. Knoll summarized the results of the petition: 55 were in favor, 3 were opposed, 5 were not home, 5 were undecided and 9 were rental properties. He said the majority of people in the Wayside area would like to see Seward Street open. He has changed his mind about the roundabout and now feels it would be a mess and the streetlight would be a better solution. He discussed pedestrian traffic. He talked to neighbors along the railroad tracks and agrees that a nine or ten foot soundwall should be put in place for noise and safety.

8. Dr. George Larson, 839 Royal Del, Springfield, OR. Dr. Larson submitted a letter to the City Council which was entered into the record. He is in support of the roundabout. His office is the only business at that intersection. With the added amount of traffic this extension will add, the most efficient way to move traffic is needed. He believes that would be a roundabout because traffic signals would back up traffic more than the roundabout. There is no room for that traffic to be backed up. He referred to his letter which explains further why he believes the roundabout is the best solution for this intersection.

9. Dan Egan, 850 N. 6th Street, Springfield, OR Mr. Egan is here as a former member of the BRT Steering Committee and is here to discuss the proposed BRT lane. BRT is not easy no matter where you go and this corridor is no exception. There are considerations with personal property, businesses, access and the future. He is here to discuss the future as the decision council makes tonight will be very important for the future. There is some finality with the construction of the soundwalls and it would be difficult, if not impossible, to change this in the future. Council needs to determine how wide this should be and what it should include, from dedicated lanes to bikes to landscaping. If council feels that in the future a dedicated lane should be available, now is the time to make that decision. It would not be a popular decision, but could be even less popular ten years in the future when it would be even more expensive. If council determines there would never be dedicated lanes in this area, they have options. He learned that 82.5 feet could accommodate this lane in the future and would ask council to consider that choice.

10. Robert Linahan, 2417 N. 17th Place, Springfield, OR. Mr. Linahan is the Director of Electric Engineering and Operations for the Springfield Utility Board (SUB). Mr. Linahan presented a letter to be entered into the record which discussed the administrative and technical issues dealing with the electric facilities in the old Southern Pacific (SP) right-of-way. Mr. Linahan was available for any questions council had regarding SUB's facilities in that area and relocations issues.

11. Carol Fairborn, 2812 Manor Drive, Springfield, OR Ms. Fairborn currently owns three properties that are on Seward Street or are affected by the Seward area. This area was originally a gated community. She is opposed to opening Seward because it could divert traffic from Wayside onto Manor and Seward. She discussed other roads that could be affected by the diverted traffic and said those neighbors should have also gotten notification of this project.

12. Phillip Farrington, 677 E. 12th Ave., Suite #N-225, Eugene, OR. Mr. Farrington is the Director of Land Use Planning and Development for PeaceHealth. He spoke in support for the MLK project. PeaceHealth has worked for many months with city staff and LTD staff to

design this parkway through PeaceHealth's segment of the parkway extension. The designs work well for PeaceHealth and for the public interest. The design they have worked on has a buffer they have incorporated on the east side of the parkway that provides for a multi-use trail to go through PeaceHealth's segment of the parkway. It also allows for some armature and other fixtures that might otherwise be located in the public right-of-way. PeaceHealth supports the BRT project, as they have the highest alternative load use than any other private employer in Lane County. PeaceHealth issues free bus passes, provides free-ride home, provides shuttle services and charges for parking. They hope to continue these programs with the campus at RiverBend. He knows council has a difficult decision to make to work with both the BRT and the neighbors. He is confident council will be able to navigate that and make the right decision. He encouraged council's support for the BRT.

13. Ron Bush, 124 C Street # 14, Springfield, OR. Mr. Bush owns 2556 Wayside. He referred to the map showing the parkway extension in this area. He said they are not only having the back yard taken away, but the front yard and most of the sideway will be taken out by the roundabout. Mr. Bush said he doesn't know how they will get in and out of their properties during the construction of the roundabout. He indicated the property on the map. He discussed the septic tank that would be destroyed and would need replaced. Taking away the driveway during the construction period leaves no access in or out of the property. Once the construction period is over, there would be a trafficking period when it would be difficult to get out of these homes onto the roundabout. He does not feel anyone will want to live in this property because of safety and noise issues. He is not against the project, but he feels the most impacted. He would prefer the city take all of his property because he doesn't know what can be done with it once it is traffic locked.

14. Mark Harless, 2732 Wayside Lane, Springfield, OR. Mr. Harless said the roundabout doesn't seem like a great idea. He said in Bend he is aware of a roundabout that is at a level E for traffic. He discussed both roundabouts in Bend and the store closures that have occurred in that area because of traffic issues. He discussed the Oregon law regarding roundabouts and deferring to traffic already in the roundabout. He discussed the difficulties in doing this and the amount of back-up it would incur. A traffic light would be controlled. The light that is currently at this location is difficult to get through. Seward Street has more speeding tickets than any other dead end street in Springfield. Five tickets were issued last year to people going over 40 miles per hour on Seward Street. Opening Seward would increase the traffic and the speed of that traffic. He discussed why traffic would divert to Seward if it were opened. He is concerned because there are a lot of elderly people and younger families with children in the neighborhood. He agreed with Commissioner Dwyer's comments.

15. Paige Summers, 2555 Wayside Lane, Springfield, OR. Ms. Summers discussed her property and the impact of the Parkway on her property and her views. She feels she is greatly impacted by this project. She discussed traffic lights and the simplicity of them. She also discussed roundabouts and the difficulties of not only getting traffic through them, but dealing with the issue of pedestrians, dogs, and bikers. She feels Seward Street should be open for safety reasons because it is the only way to protect those people. She said it is not good to be trapped in a neighborhood.

16. Steve Thurn, 2875 Riviera Court, Springfield, OR. Mr. Thurn spoke in opposition to opening Seward Street. He drives down Manor frequently to get out of his neighborhood. Manor is a narrow and winding street with a number of cars parked along the street. It is

impossible to have more than one lane of traffic going at any given time through that area. There are approximately 950 cars that come out of the Wayside Lane area every day. Diverting those cars onto Manor or the others that will filter out of Castle or 3rd Street could be dangerous as none of those streets are prepared for that volume of traffic. He said trying to come off of Manor to head west at Pioneer Parkway is nearly impossible because the light causes traffic to back up beyond the street entrance. Trying to go eastbound is even more difficult and he described the alternative route used to go eastbound. Regarding the roundabout or streetlight, he doesn't know which would be better. He said the further traffic is backed up the worse it will be for those trying to get out of those neighborhoods.

17. Curtis Summers, 2555 Wayside Lane, Springfield, OR. Mr. Summers said he would like to commend LTD for wanting to put in a BRT lane and being willing to pay for the additional lane. He said this project is impacting our neighborhood and our community. As people look at how well this functions, this will be a precedent if this works in our town. He is not totally opposed to roundabouts, but he understands the principals of a stoplight. Changing to a roundabout may back up traffic more and that concerns him. Either way, traffic would back up past Manor Street. Once construction starts, there will be excavators there and the neighbors would have no access to get in and out. In lieu of that, there needs to be an alternative way to get in and out. He discussed some of the other alternate routes. No matter which route is chosen, someone will be unhappy. There is no one in this building who would be willing to give up their land or home. Whether a traffic light or a roundabout is put in, there will be construction. He does not want the street to be closed for six months as it was on Maple Island Road due to inadequate concrete. If that problem occurs, neighbors would be landlocked. He discussed the fact that people are creatures of habit and will continue to go in and out of their own exits. People could also adapt. If council goes forward with the roundabout, he would like to make sure it works for everyone in the community. Council needs to look at the longevity of this project. Do what is best for the community and the neighborhood.

Mayor Leiken closed the public hearing.

Councilor Ballew said she appreciated the fact there people knowledgeable about engineering of roads. She said the neighbors have known the Parkway would be coming. Staff has been out to meet with the citizens to find out what the neighbors had to say and to figure out how we could best accommodate those needs. Not everyone will be happy. Staff has done a good job in looking at this project and using engineering standards. Although she is not a fan of roundabouts herself, she is convinced it is a safer way and would handle the traffic better and longer. She trusts in what the engineers have told her regarding designing roads.

Councilor Woodrow thanked everyone for attending the meeting tonight. There are differing opinions which is great. Council has a difficult decision before them. He doesn't believe roundabouts work properly or ever have worked properly. He said a roundabout would be difficult for emergency vehicles, BRT and traffic in general. The city staff will do what is right in providing a soundwall that is adequate. He thanked staff for their work on this project. He doesn't want to see any of the neighbors lose any more property than they have to for a BRT lane, but he feels BRT must go through. There may be some alternatives including undergrounding the power lines and putting the dedicated lane down the center. He would not approve the resolution as it is written now.

Councilor Fitch said we have citizens on all sides who have testified. She is not a traffic engineer, but has driven through the roundabout in the Thurston area. Although, there are some from Thurston who feel the roundabout does not work, she has heard from other residents in Thurston that feel the roundabout does work and is efficient. With the numbers she has been shown and the engineering reports she has seen, the roundabout would work and keep traffic flowing through that area. Education would be needed for the citizens. Councilor Fitch formerly served on the BRT Steering Committee and said the decisions made tonight would last 40-60 years with the soundwalls. She liked the compromise of 82.5 feet to allow for a BRT lane. Initially, if the engineering could work for an exclusive lane, that would be great. If not, it could be a transition period when the power lines could be undergrounded and allow for the exclusive lane. That decision would depend on what the engineers and experts determine would work. She agreed with citizens that the soundwall needs to be tall enough to be efficient. She recognized the concern about traffic. There may have to be a compromise to open Seward Street at least during construction to allow people to get out of their neighborhoods. It may not need to be opened permanently. She knows from living in that neighborhood, that the other streets in that area were not built to be collector streets.

Councilor Lundberg said she lives in this neighborhood. She heard from the citizens who were told no additional property would be taken and she feels the city needs to abide by that promise. She does not oppose the BRT. She agreed the soundwall needed to actually work. She discussed the BRT and the fact that it has not been a proven model in our community. People would ride the BRT because it is convenient, not necessarily because it is that much faster. She did not support adjusting traffic lanes for BRT. It may work well without the extra lane. She discussed the difficulty in getting onto Hayden Bridge Road from Shady Lane. She did not support the roundabout at this location, but she was not against roundabouts in general. She lives on Woodlane, which is a narrow road, causing cars to slow down considerably. She did support opening Seward Street to allow people to get out of the neighborhood.

Councilor Ralston said he was skeptical of roundabouts, but has viewed video tape of roundabouts which allowed large amounts of traffic to flow. He believes roundabouts are the best way to go in this area. He opposed BRT having a dedicated lane. The impact on property owners needs to be minimized and he would support the 76 foot proposal from staff. He was in favor of opening Seward Street, because he is a proponent of connectivity. There may be cases where it may make sense to use Seward Street to exit the neighborhood. He supported opening Seward Street permanently. The soundwall is critical and needs to be effective. He discussed the soundwall in Eugene that is ineffective.

Mayor Leiken said it was important to state his opinion. He does not support roundabouts. The modeling of them shows that they work, but he feels the information presented brings forth the modeling. He discussed the on and off ramps in Glenwood and how modeling doesn't show that those ramps are needed. Common sense states they are needed. If this council makes a mistake on its decision tonight, it will not be the first mistake made by a council. It would be challenging for him to be supportive of the roundabout. Regarding the BRT, he feels the city has been supportive of the BRT throughout their project. He discussed the MPC meeting and a motion brought forward by a LTD Board member to remove from funding the I-5/Beltline interchange. He felt that sent an unfortunate message. The city needs to continue to have a relationship with LTD, but he would prefer the 76 foot lanes rather than the 82.5 feet. He discussed some of the alternatives. He discussed the use and speed of BRT. The city will continue to work with LTD, and the other agency partners.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE ALIGNMENT SELECTED BY THE 1998 COUNCIL WITH THE ADDITION OF THE "NORTH LINK" CONNECTION FROM GAME FARM ROAD SOUTH TO THE DEADMOND FERRY INTERSECTION AND THE CARDINAL WAY CONNECTION FROM THE PARKWAY TO GAME FARM ROAD. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE OPTION 2, LOCATING THE BIKE AND PEDESTRIAN ROUTES ON GAME FARM SOUTH WHERE FEASIBLE BUT CREATING EASEMENTS WHERE POSSIBLE AND WITH NEIGHBORHOOD SUPPORT IN THE NEIGHBORHOODS FOR BIKE AND PEDESTRIAN PATHS. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE CONSTRUCTION OF THE PROJECT AT THE 100 YEAR FLOOD ELEVATION. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH TO RECOMMEND APPROVAL OF CONSTRUCTION OF THE PARKWAY WITH A TYPICAL SECTION OF 82.5 FEET OF THE RIGHT OF WAY IN THE NARROW SEGMENT THAT INCLUDES AN 8 FOOT MEDIAN AND A MINIMUM 6 FOOT SHOULDER FOR LANDSCAPING AND SEPARATION FROM THE SOUNDWALL. CONSTRUCT A 96 FOOT TYPICAL RIGHT OF WAY WIDTH IN THE PEACEHEALTH SEGMENT EXCEPT WHERE IT IS FEASIBLE TO INCLUDE THE EASTSIDE 6 FOOT LANDSCAPED SHOULDER IN THE PEACEHEALTH BUFFER AND EASEMENT AREAS, WITH A MINIMUM 8 FOOT MEDIAN AT THE INTERSECTIONS. THERE WAS NO SECOND. (The motion died due to a lack of a second.)

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO RECOMMEND APPROVAL OF CONSTRUCTION OF THE PARKWAY WITH A TYPICAL SECTION OF 76 FEET OF RIGHT OF WAY IN THE NARROW SEGMENT THAT INCLUDES AN 8 FOOT MEDIAN AND A MINIMUM 6 FOOT SHOULDER FOR LANDSCAPING AND SEPARATION FROM THE SOUNDWALL. CONSTRUCT A 96 FOOT TYPICAL RIGHT OF WAY WIDTH IN THE PEACEHEALTH SEGMENT EXCEPT WHERE IT IS FEASIBLE TO INCLUDE THE EASTSIDE 6 FOOT LANDSCAPED SHOULDER IN THE PEACEHEALTH BUFFER AND EASEMENT AREAS, WITH A MINIMUM 8 FOOT MEDIAN AT THE INTERSECTIONS. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 1 OPPOSED (FITCH).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE LOCATION AND CROSS SECTIONS OF THE RIVERBEND, CARDINAL, MCKENZIE WAY AND GAMEFARM SOUTH INTERSECTIONS ON THE PARKWAY AS PRESENTED IN EXHIBITS 4-1, 4-2, 4-3 AND 4-4. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE CONSTRUCTION OF A TWO-LANE ROUNDABOUT WITH A WAYSIDE LANE CONNECTION. THE MOTION PASSED WITH A VOTE OF 3 FOR AND 2 AGAINST (WOODROW, LUNDBERG).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO OPEN THE SEWARD STREET CONNECTION DURING THE CONSTRUCTION PHASE ONLY. (The motion was amended – see below)

Councilor Ralston said he believes Seward Street should remain open permanently.

Councilor Woodrow said he agreed with Councilor Ralston that Seward Street should remain open permanently because there would be a roundabout and Wayside would have access onto the roundabout.

Councilor Lundberg said over time people would adjust and would, for the most part, be respectful using these residential streets. She is supportive of connecting streets when possible.

Councilor Ballew said she heard testimony in the past of neighbors that did not want Seward Street open permanently.

Councilor Fitch said she could amend the motion slightly. This street is in the county and city council can only make a recommendation to county.

Mr. Arnis said these streets are in the county, therefore the county must take the action regarding opening the street. Some of the items council may approve tonight are more in the city's jurisdiction, but these streets are county jurisdiction.

Amendment to the motion:

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO OPEN THE SEWARD STREET CONNECTION DURING THE CONSTRUCTION PHASE AND THE COUNTY WOULD STUDY THIS ISSUE FURTHER TO DETERMINE IF THE STREET SHOULD REMAIN OPEN PERMANENTLY OR TEMPORARY DURING CONSTRUCTION. (The motion was amended – see below)

Councilor Ralston said as a friendly amendment he would prefer recommending to the county to open Seward Street permanently. By supporting it and recommending they open it, a stronger statement would be made.

Councilor Lundberg preferred to send it to Lane County Board of Commissioner because they have the final say over the county system. It would be prudent for council to say the city needs it open for construction.

Councilor Ralston asked if the residents were city or county. They are county.

Councilor Woodrow agreed that by recommending it to the county, the county could make the decision. The residents may discover that it is not as bad as anticipated with Wayside connected to the roundabout and Manor open with the connection to Seward. If Seward remained open during construction, the neighbors would not be locked in, which is important. The county commissioners can then determine if it should remain open permanently.

Amendment to the motion:

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO OPEN THE SEWARD STREET CONNECTION DURING THE CONSTRUCTION PHASE AND RECOMMEND THAT THE COUNTY BE ASKED TO STUDY THE ISSUE FURTHER

TO DETERMINE IF THE STREET SHOULD REMAIN OPEN PERMANENTLY. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE MITIGATION TO THE IMPACTS OF THE SEPTIC DRAINFIELDS WITHIN THE ZERO TO TEN FOOT AREA. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO REMOVE PARKING ON HAYDEN BRIDGE WAY FOR APPROXIMATELY 1000 FEET AND CONSTRUCT WHERE FEASIBLE, AND WITH OWNER CONSENT, SHARED DRIVEWAYS FOR BETTER ACCESS TO HAYDEN BRIDGE WAY. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Discussion was held regarding where the 1000 feet was located.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE USING A COMBINATION OF LATE NIGHT AND 24 HOUR CRITERION NOISE MEASURES THAT REQUIRES ABOUT AN AVERAGE SEVEN TO NINE FOOT WALL HEIGHT. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Discussion was held regarding noise levels and the adequate height of the wall.

Mr. Arnis discussed the sound absorbent walls staff was recommending. They are more expensive, but can absorb more sound at a lower height. With this type of wall, an average of seven to nine feet would be adequate. A wall that is too high would distort the sound in the neighborhood due to the narrowness of the corridor. Adding the additional foot to make them ten feet high would add cost. Staff is studying this issue because of the issue of trucks that may be traveling through this area.

Councilor Lundberg discussed the study of the soundwalls for the I-5/Beltline corridor which dealt more with the decibel levels than the height. She asked if it would be more appropriate to give it a range in decibels.

Mr. Arnis said part of the criterion is to look at the decibel levels.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE OPTION THREE TO CONSTRUCT A SEVEN TO NINE FOOT HIGH SOUND ABSORPTIVE PRE-CAST CONCRETE WALL ALONG THE SOUTHERN SEGMENT AS DIRECTED BY COUNCIL IN 1998. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO NOT CONSTRUCT SOUND WALLS ALONG BELTLINE ROAD AS PART OF THE PARKWAY PROJECT. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Discussion was held regarding the sound walls along Beltline/I-5. They would be constructed under a separate project.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO DIRECT STAFF TO CONTINUE TO LOCATE POLES IN THE 76 FOOT RIGHT OF WAY RECOMMENDED FOR THE SOUTHERN SEGMENT OF THE PARKWAY, HOWEVER, IF IN THE FUTURE THERE CAN BE FOUND A WAY TO UNDERGROUND THOSE POLES AND ALLOW FOR THAT MEDIAN TO BE USED FOR THE BRT, THAT BE ALLOWED. (The motion was amended – see below)

Councilor Ballew said Springfield Utility Board (SUB) prefers not to underground power lines of this type because of maintenance issues and wet ground. She would recommend, if Councilor Fitch would consider, making two motions.

Amendment to the motion:

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO DIRECT STAFF TO CONTINUE AT THIS TIME TO LOCATE POLES IN THE 76 FOOT RIGHT OF WAY RECOMMENDED FOR THE SOUTHERN SEGMENT OF THE PARKWAY. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW THAT IF IN THE FUTURE THERE COULD BE A WAY FOR SPRINGFIELD UTILITY BOARD (SUB) AND LANE TRANSIT DISTRICT (LTD) TO COME TO AN AGREEMENT ON UNDERGROUNDING THOSE POLES, THAT IS ALLOWED TO OCCUR AT LTD'S COST OR MIXED COST. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 1 AGAINST (LUNDBERG).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO OPERATE BUS RAPID TRANSIT (BRT) IN MIXED TRAFFIC WITH POSSIBLE OPERATIONAL MODIFICATIONS AT INTERSECTIONS SUCH AS TRANSIT PRIORITY. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Mr. Arnis said staff would rewrite the resolution to reflect council's vote and bring it back to council for review.

Councilor Fitch said this has been a compromise in all areas.

Mayor Leiken called a recess at 8:50 p.m.

Mayor Leiken resumed the council meeting at 9:00 p.m.

3. Proposed Amendment to the 2003 One-Year Action Plan, Regarding Additional Community Development Block Grant (CDBG) Projects in the Downtown Revitalization Area.

Housing Program Specialist Kevin Ko presented the staff report on this item. The City of Springfield recently designated a portion of its downtown as a Revitalization Area. HUD approved this designation on February 12, 2004. The city has received three proposals to provide CDBG support for revitalization projects in the downtown area. Council authorization is needed to provide CDBG funds in support of these projects, and to amend the 2003 1-Year Action Plan.

With the recent designation and approval of a Downtown Revitalization Area in Springfield, CDBG funds can be used to support activities that address the causes of depressed and blighted conditions downtown. \$168,000 of CDBG funds was made available to projects that can meet

the eligibility requirements of the program. The \$168,000 was originally allocated to the Wildish Theater for eligible activities under the “*spot* slum and blight” provision in the CDBG program. HUD determined that the theater no longer qualified under the “spot slum and blight” provision, and the funds were not expended. These funds are now available for re-allocation under the “*area* slum and blight” provision of the CDBG program.

A Request for Proposals was issued on December 5, 2003. Three proposals were received prior to the January 9, 2004 deadline. The total CDBG amount requested by the three proposals is \$168,000.

Staff has reviewed each proposal and has determined that each meets program eligibility requirements. The proposals were presented to the Community Development Advisory Committee (CDAC) for review at a public hearing on January 22, 2004. The CDAC is recommending council approval of all three proposals. Approval of the Downtown Street Lighting Project is conditioned upon the modification of existing street light standards to allow a “whiter” light than is provided with the current low-pressure sodium fixtures. Staff is recommending that council approve the three proposals by authorizing an amendment to the 2003 1-Year Action Plan. This is a HUD requirement if the projects are to be funded in the current fiscal year.

Complete project applications are available upon request for council’s review.

Councilor Ballew asked if the Wildish Theater was now eligible for the CDBG funding because it is in a designated area.

Mr. Ko said that was correct. Before the area was designated as a Downtown Revitalization Area, the Wildish Theater was deemed by HUD as no longer eligible for public funding under the spot slum and blight. That meant that individual repairs could not be made at the Wildish Theater. When the designation of an area Redevelopment Area, that changed the whole criteria on what is eligible and what is not eligible for the CDBG Funds. For a project to be eligible under the current regulations, it has to impact positively the downtown environment by raising property values, bringing in new commerce, etc.

Mayor Leiken opened the public hearing.

1. Art Paz, 86950 Cedar Flat Road, Springfield, OR Mr. Paz hoped council would approve all three projects because they meet the criteria of improving the urban character of the downtown area. He discussed the Emerald Empire Art Association Project and the leveraging of money from both the private and public sector. These improvements are making a significant change in the core area of our city.

Mayor Leiken closed the public hearing.

Councilor Fitch said for the record she is on the board for the non-profit group Springfield Renaissance Development Corporation (SRDC). At her own expense she received legal counsel’s opinion and that of the Government Standards and Practices Commission which concurred that being a board member on a non-profit with no pay does not pose a conflict of interest.

Councilor Ralston asked if this was the blight area.

Mr. Ko said it is the area slum and blight. HUD allows cities for public relations purposes to call the area something else. Council approved this area as the Revitalization area.

Councilor Ralston asked how much was designated for this.

Mr. Ko said the total is \$168,000. This money is the money that wasn't spent for the Wildish Theater during the last round. There are three additional annual allocations to the CDBG Funds. This money would use up the allocation for the current fiscal year.

Councilor Fitch asked if it must be spent by June 30 of this year. That is correct.

Councilor Ralston said he would like to target other businesses in the downtown area.

Mr. Ko said this funding was open to anyone who wanted to apply.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE PROPOSED PROJECTS. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE AMENDING THE 2003 1-YEAR ACTION PLAN TO INCLUDE THE PROPOSED CDBG PROJECTS. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE AUDIENCE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Peter W. Roberts, 2366 Washington Street, Eugene, OR 97405 Regarding Changing the Namesake of Lane County.
2. Correspondence from Lane County Commissioner Bobby Green, 125 East 8th Avenue, Eugene, OR 97401 Regarding a Commercial and Industrial Land Survey.
[Please see attached staff report.]
3. Correspondence from Pat Hocken, Chair of LTD BRT Steering Committee, P.O. Box 7070, Eugene, OR 97401 Regarding BRT Lanes on Martin Luther King Jr. Parkway.
4. Correspondence from Hillary Wylie, President, LTD Board of Directors, P.O. Box 7070, Eugene, OR 97401 Regarding Martin Luther King Jr. Parkway Right of Way and Undergrounding Power Poles.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ACCEPT AND FILE THE CORRESPONDENCE WITH THE ATTACHED STAFF RESPONSE ALONG WITH THE CORRESPONDENCE FROM ALICE AND JOSEPH VERRET. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

ORDINANCES

1. Metropolitan Plan Update – Jo. No. LRP 2003-00014.

ORDINANCE NO. 9 – AN ORDINANCE IN THE MATTER OF THE EUGENE-
SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) TO ADOPT
AS PART OF PERIODIC REVIEW METRO PLAN HOUSEKEEPING REVISIONS, A
NEW METRO PLAN CHAPTER III-C, AND A NEW METRO PLAN DIAGRAM; AND
ADOPTING A SEVERABILITY CLAUSE.

City Planner Mark Metzger presented the staff report on this item. A package of Metro Plan updates was presented to the joint elected officials on February 10, 2004. The package included text changes which update the document; a revised Metro Plan Diagram that is based on the Regional Land Use Information Database; and substantive changes to Chapter III-C Environmental Resources Element of the Plan. At issue is whether these changes meet the criteria for approving Metro Plan amendments and are in the best interest of the community.

The Joint Elected Officials met on February 10 for a staff briefing and public hearing on a package of Metro Plan text and Diagram changes. Several questions and comments were directed at staff by various elected officials in the course of the briefing and at the conclusion of the public hearing. Staff responses to the questions and comments posed at the joint session were included in the agenda packet.

Staff changed some of the proposed amendments in response to the comments of the elected officials. These changes were highlighted in the briefing memo (page 2 of the memo, included in the agenda packet). Replacement pages reflecting these changes were contained in Exhibit A attached to the memo.

Attachment B to the briefing memo is a copy of the written testimony entered into the record. The material deals primarily with Eugene area plan changes and is so voluminous that a single bound copy is on file in the City Manager's office for council's review.

Each jurisdiction will consider the same package of amendments and take independent action. Eugene has scheduled deliberations for this matter on March 10, with Lane County following on March 17. The three jurisdictions must agree on the proposed changes to the Plan if they are to take effect.

Separate from this package of Metro Plan Updates, a work program is being prepared by Lane Council of Governments (L-COG) staff that will address changes needed in the Metro Plan to facilitate special district formation. This scope may be broadened to include other topics of concern in the near future.

Mr. Metzger said that staff was now recommending that council delay adoption of the above ordinance pending action by the City of Eugene to finalize items they are still working on. Mr. Metzger introduced Carol Heinkel from Lane Council of Governments (LCOG) who went through the staff packet included in the agenda packet. Mr. Metzger said staff's goal was for council to determine if there were things they would like changed or added. Staff would leave tonight knowing what those changes were so they could come back with council's issues resolved.

Ms. Heinkel said council is being asked to adopt Exhibit A, which are the housekeeping revisions to the Metro Plan. Exhibit A included the original January 8 documents, plus the replacement

pages that were distributed at the February 10 public hearing. Those replacement pages left in the objectives for the sections. The replacement pages included in the packet dated March 10 were in response to staff's analysis and further evaluation of the Historic preservation provisions. The Eugene City Council voted to leave in Policy J1, which is an energy policy. It was recommended by staff to delete it as a housekeeping measure because several years ago local utilities were surveyed regarding their interest in pursuing this energy plan and there was no interest. Eugene City Council's rationale in leaving that policy in the document was that it doesn't require anyone to do anything and they liked the policy. It does not put a burden on anyone. They qualified that by asking staff to get input from Eugene Water and Electric Board (EWEB) and Springfield Utility Board (SUB). EWEB staff submitted in writing that it was fine to leave the policy in and agreed it was a nice thing to do. They also stated that EWEB doesn't have the funding to pursue the recommendation at this time. SUB staff wanted it made very clear that they are not in the position to do that work at this time.

Councilor Fitch asked if the Metro Plan is only nice things that do not have to be followed.

Ms. Heinkel said this policy is not very strongly written and is only a recommendation. This policy is more of a desire on the part of the local governments.

Councilor Fitch asked if a citizen could stop development due to this statement.

Ms. Heinkelsaid she does not believe there would be grounds to do that based on this particular policy as it is very weakly worded. Staff's opinion is that it is an issue in expediting this process. Leaving it in would not create a slow down of the process. Removing it may delay the process. Staff would recommend leaving it in the document and council adopting Exhibit A with those replacement pages.

Councilor Ballew said leaving it in seems to defeat the purpose of streamlining this document.

Ms. Heinkel said Exhibit B included in their packets, is stated how it is meant to be adopted. Staff did go through an analysis on those objectives in Exhibit B, and that is not the case in Exhibit A. The Eugene City Council was presented with three motions to amend Exhibit B. The first, which was a change in language on one of the policies, was voted down. Staff is not recommending those amendments be made. Several Eugene City Councilors were also interested in making changes to allow the service district to proceed. Staff is recommending that be done through a separate process. A scope of work has been developed for this process.

Ms. Heinkel said Exhibit C is the Metro Plan diagram. There are several requests for diagram amendments within the Eugene City limits, so Eugene City Council would need to make that decision.

Councilor Ralston asked about the section regarding service districts.

Mr. Metzger said there is a separate work program being put together with regard to making the creation of service districts easier and clearer in the Metro Plan. It is not part of what council is discussing this evening.

Councilor Ralston asked about Section 2.a. which states that police, fire and emergency medical services may be provided through extra territorial extension and if that pertained to special service districts.

Mr. Metzger said it is a clarification of the policy that is already in the plan.

Mr. Kelly said the issue of special districts continues to be studied. By direction from the Joint Elected Officials (JEO) meeting, LCOG has put together a draft that has been reviewed by the administrative staffs for presentation to the Metropolitan Policy Committee (MPC). The draft will come to MPC in April for review and comment, not approval. It will come to the Springfield Council, Eugene City Council and Lane County Commissioners for approval of that work plan sometime in the middle or later part of April. That plan will deal with the issue of district formation and the timeline for that scope of work starts in May or June and would be completed in November, allowing time for adoption by December 2004. This would allow council, if they chose, to bring a Fire District annexation proposal back to the Lane County Boundary Commission in January for a February hearing.

Mr. Kelly discussed autonomy and what the city's rights are in certain situations. The three political partners would need to approve any clarifications made on this topic so there would be no question about what cities and counties can do within certain geographical areas. That will not take place during this review of forming districts. There will be a memorandum in the next thirty to sixty days from staff discussing autonomy. It will not be done through the Metro Plan, but through a common legal memorandum to council and the other governments.

Councilor Fitch asked if the issue of autonomy would be brought forward for a vote or official acceptance by all parties.

Mr. Kelly said there is agreement on what the existing language says. That would be clarified and come forward to council as a recommendation in the form of a memorandum from all three legal staffs. If council or others disagree, this can be discussed further. There is great agreement between planning directors, legal staff and chief administrative officers. There may be policy people who disagree with the interpretation. It will come to council for approval.

Councilor Fitch said if there is something on the record that states there is an understanding on this issue at this point, it would be binding.

Mr. Kelly said this common legal briefing would answer these questions. The city's position was recently tested at Land Use Board of Appeals (LUBA) and was affirmed. That goes a long way to show all parties involved that an objective group looked at the city's understanding on autonomy and agreed with the city's interpretation.

Councilor Ralston said regarding the autonomy issue, it is important to define what autonomy really means. He gave examples of situations where Eugene could make a decision that could affect the entire region. The definition of what it takes to be involved in other's business needs to be clear.

Mr. Leahy said City Attorney Meg Kieran, who briefed this issue at LUBA, would be writing the language explaining autonomy. This is not about the city's rights to get involved in these types of situations, but the ability to opt in or opt out. The city could testify as a citizen and file an appeal. The question is whether the city is given a special avenue to get involved. It has been fairly clear that there are certain things that are in the city's province, there are certain things within the Commissioner's province, and there are certain things within the City of Eugene's province only in terms of the decision. Appeals can be filed. The City Attorney's office has done some

research regarding the right of the county in terms of their coordination function. The county is not a step up, but is equal with the cities regarding policy. That is very clear in the statutes and the case law. Mr. Leahy will provide that to Mr. Kelly for reference.

Mr. Metzger said no action is necessary tonight. He would like to know if council approves the updates and the amendments recommended from the Joint Elected Officials meeting, and are satisfied. He would also like to know council's preference on what to do with policy J1, the energy planning.

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments

a. Museum Committee.

Museum Coordinator Kathy Jensen presented the staff report on this item. The Springfield Museum Board of Directors asks council to appoint Ginger Connoles to be Program Coordinator. She will replace David Wilson and will serve out his term ending February 5, 2005. The Board asks that Janice Dresser be appointed Friends of the Museum Coordinator to serve until March 15, 2008. The Board asks council to appoint Estelle McCafferty to continue as Registrar and Susan Oldham to continue as Newsletter/Graphics Coordinator; each will serve until March 15, 2008. The Board asked council to appoint Elizabeth Stubbs Volunteer Coordinator to finish Maureen Sicotte's term ending on April 7, 2007.

All applicants are eligible to serve. Each is a registered voter living within the Metro Plan boundaries. Each has strong ties to the community and the skills and interests to accomplish the tasks for which they have volunteered. All of the applicants have met with the Interim Museum Coordinator and been interviewed by a subcommittee of Board members. Each is a strong candidate willing to serve the community and strengthen the Museum Committee.

The Springfield Museum Board of Directors recommended that council approve all the candidates for membership on the Springfield Museum Committee.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPOINT GINGER CONNOLES TO THE MUSEUM COMMITTEE AS PROGRAM COORDINATOR WITH A TERM TO EXPIRE FEBRUARY 5, 2005. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPOINT ELIZABETH STUBBS TO THE MUSEUM COMMITTEE AS VOLUNTEER COORDINATOR WITH A TERM TO EXPIRE APRIL 7, 2007. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPOINT TO THE MUSEUM COMMITTEE JANICE DRESSER AS FRIENDS OF THE MUSEUM COORDINATOR, ESTELLE MCCAFFERTY AS REGISTRAR AND SUSAN OLDHAM AS NEWSLETTER/GRAPHICS COORDINATOR WITH TERMS TO EXPIRE MARCH 15, 2008. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

2. Business from Council

a. Committee Reports

1. Councilor Ballew said the Metropolitan Wastewater Management Commission (MWMC) has a citizen advisory committee and she has attended their meetings. This committee is getting close to coming to a conclusion on the SDC charges. The Homebuilders' Association has concerns that if they agree to the methodology, they would have to pay more in fees.

b. Other Business

1. Councilor Woodrow read from a statement against Domestic Violence that was distributed to council members.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR FITCH FOR THE SPRINGFIELD CITY COUNCIL TO ENDORSE THIS STATEMENT AGAINST DOMESTIC VIOLENCE. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

2. Mayor/Council Committee Assignments.

Mayor Leiken confirmed the Mayor/Council board, committee and commission assignments as listed on Attachment 1, included in the agenda packet. For Ward 6, the Mayor will keep those open at this time and will take recommendations into consideration if someone would like to fill those positions in the interim.

BUSINESS FROM THE CITY MANAGER

1. City Planner Mark Metzger discussed a notice of petition received Friday, March 12 at 1:00pm from the Department of Land and Conservation Development (DLCD) giving the city official notice that a petition had been filed. This petition relates to completing periodic review and was filed by 1000 Friends of Oregon. It was filed under Senate Bill (SB) 920. The bill was meant to allow communities to cut from their work program unnecessary periodic review tasks, but there was a provision that if there were mandatory tasks cities could be compelled to complete them. Staff fully intends to complete periodic reviews. Attached to the petition is the staff response that is being reviewed by the three planning directors from City of Eugene, City of Springfield and Lane County. Mr. Metzger wanted council to be aware of this issue. In staff's response, timelines have been given that fit with the state rules. He asked council to read the letter at their leisure and give him any feedback by Friday, March 19.

Councilor Ballew asked Mr. Leahy if this would become an unfunded mandate if we did not complete the review.

Mr. Leahy said he did not know the answer, but it would most likely be an unfunded mandate.

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at 9:40 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder